

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE ANNEXING TO THE CITY OF ROCHESTER  
APPROXIMATELY 2 ACRES OF LAND LOCATED AT 4420 19<sup>TH</sup>  
STREET NW, ON THE SOUTH SIDE OF 19<sup>TH</sup> STREET NW, SOUTH  
OF ASHLAND DR NW.

THE COMMON COUNCIL OF THE CITY OF ROCHESTER DO ORDAIN:

Section 1. A petition has been filed with the Common Council of the City of Rochester, signed by Olmsted County requesting the Common Council to annex said land to the City of Rochester. The land described in the petition for annexation is described as follows:

That part of the Northeast Quarter of the Southwest Quarter of Section 29, Township 107 North, Range 14 West, Olmsted County, Minnesota, described as follows:

Commencing at the northeast corner of said Southwest Quarter; thence southerly on a Minnesota State Plane Grid Azimuth from north of 180 degrees 26 minutes 25 seconds along the east line of said Southwest Quarter 60.06 feet; thence westerly 267 degrees 54 minutes 24 seconds azimuth along a line 60.00 feet southerly of and parallel with the north line of said Southwest Quarter 222.85 feet to the point of beginning; thence continue westerly 267 degrees 54 minutes 24 seconds azimuth along said line 216.49 feet; thence southerly 177 degrees 57 minutes 56 seconds azimuth 408.80 feet; thence easterly 87 degrees 54 minutes 24 seconds azimuth parallel with the north line of said Southwest Quarter 209.76 feet; thence northerly 358 degrees 54 minutes 35 seconds azimuth 408.86 feet to the point of beginning.

Said tract contains 2.00 acres more or less.

The above described parcel contains 2 acres and is subject to any easements, covenants, and restrictions of record.

Section 2. On August 17<sup>th</sup> 2020, the Common Council held a public hearing to consider this annexation petition after providing written notice of the hearing, by certified mail, to the property owners, the Cascade Township officers, and the adjacent property owners.

Section 3. The City provided notification to the petitioners pursuant to Minn. Stat. §414.033, subd. 2b, 11, 12 and 13 if applicable to this petitioned annexation.

Section 4. Following the public hearing, the Common Council of the City of Rochester determined that the land to be annexed is unincorporated, abuts the municipality, consists of 120 acres or less, is not presently served by public wastewater facilities and the municipality has received a petition for annexation from all the property owners of the land and, as such, the land is or will soon become urban or suburban in character.

Section 5. As provided in Minn. Stat. §414.036, the City shall pay the Township the equivalent of three years' taxes in two years.

Section 6. As provided in Minn. Stat. §414.033, subd. 13, the City has provided notice to the petitioner as to the potential electric utility service rate changes.

Section 7. Therefore, pursuant to Minn. Stat. §414.033, subd. 2(3), the land described in Section 1 above is hereby annexed, added to and made a part of the City of Rochester, Minnesota, as if it had originally been a part thereof.

Section 8. Present and future owners of the lands annexed by this ordinance are hereby notified that in addition to the usual assessments, it is the intention of the Common Council to assess against benefited property all or a portion of the cost of any storm sewer, water tower, pumping station, and trunk line sanitary sewer construction, heretofore or hereafter undertaken to serve the area annexed.

Section 9. Upon annexation the land described in Section 1 above will be zoned M1.

Section 10. This ordinance shall take effect and be in force from and after its official publication and from and after the filing of a certified copy hereof with the Minnesota Office of Administrative Hearings – Municipal Boundary Adjustments, the Cascade Township Clerk, the County Auditor and the Secretary of State.

PASSED AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF  
ROCHESTER, MINNESOTA, THIS 21st September

ATTEST:

  
CITY CLERK

  
PRESIDENT OF SAID COMMON COUNCIL

APPROVED THIS

[Redacted]

  
MAYOR OF SAID CITY

